

Introduced by Senator Perata

February 18, 2005

An act to add Section 14552.3 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 571, as introduced, Perata. Adult day health care services: certification.

The California Adult Day Health Care Act provides for the licensure and regulation of adult day health care centers, with administrative responsibility for this program shared between the State Department of Health Services and the California Department of Aging. The Adult Day Health Medi-Cal Law establishes adult day health care services as a Medi-Cal benefit for Medi-Cal beneficiaries who meet certain criteria.

Existing law requires that in order to obtain certification as a provider of adult day health care under the Medi-Cal program the applicant shall meet specified standards.

This bill would require an applicant for certification to attend an orientation provided by the California Department of Aging and submit specified information to that department. The bill would also authorize the California Department of Aging to conduct a face-to-face interview with the applicant, to examine additional specified information, and to prioritize applications for certification based on demonstrated need or on certain other criteria.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 14552.3 is added to the Welfare and Institutions Code, to read:

14552.3. (a) Prior to submitting a certification application, the applicant shall attend an orientation provided by the California Department of Aging. The orientation shall include, but not be limited to, information on the following areas:

(1) Completion of the application for certification.

(2) Scope of operation subject to regulation by the California Department of Aging.

(b) An applicant who is already licensed for a facility in the same category shall not be required to attend an orientation if the prior orientation the applicant attended was within two years of the next scheduled orientation.

(c) An applicant applying for more than one facility license pursuant to this chapter or pursuant to Chapter 7 (commencing with Section 14000) shall be required to attend only one orientation.

(d) The applicant shall submit to the California Department of Aging documentation that includes, but is not limited to, all of the following:

(1) The need for an adult day health care facility in the geographic area defined by specific ZIP Codes proposed to be served as demonstrated by all of the following:

(A) A list of other adult day health care programs in the immediate and adjoining geographic areas defined by specific ZIP Codes including information as to each center's licensed capacity.

(B) A description of the target population the applicant intends to serve.

(C) A needs analysis using current census data that describes all of the following with respect to the target population:

(i) Socioeconomic status.

(ii) Number of persons over the age of 65 years.

(iii) Number of persons over the age of 65 years who are potential adult day care consumers.

(iv) Population density.

(v) Number of Medi-Cal beneficiaries.

(vi) The number of younger adults with disabilities.

1 (vii) The number of younger adults with disabilities who are
2 potential consumers of adult day health care.

3 (viii) Number of individuals currently enrolled in adult day
4 health care or the PACE program.

5 (2) A program plan, including, but not limited to, proposed
6 facility capacity.

7 (3) Policies and procedures.

8 (4) A marketing plan.

9 (5) A proforma budget, and monthly cash flow projections.

10 (e) After accepting a completed certification application, and
11 prior to approving or denying the application, the California
12 Department of Aging may conduct a face-to-face interview with
13 the applicant.

14 (f) In order to determine whether the applicant qualifies for
15 certification, the California Department of Aging shall examine
16 all of the following:

17 (1) The ability of the applicant to comply with the provisions
18 of this chapter and of the rules and regulations governing adult
19 day health care.

20 (2) The demonstrated need for the program.

21 (3) The feasibility of the applicant's marketing strategies
22 relative to the target population.

23 (4) The applicant's ability to provide the services described in
24 the program plan and to coordinate with other services in the
25 home- and community-based continuum of care based on the
26 applicant's knowledge, skills, and experience.

27 (g) The California Department of Aging may give priority to
28 an application for certification based on demonstrated need or on
29 any or all of the following criteria:

30 (1) The applicant is in a rural county.

31 (2) The applicant is in a county or service area in which there
32 are no existing centers.

33 (3) The applicant will deliver services in an area with a
34 significant number of low-income elderly.

35 (4) The applicant will target persons with special needs, such
36 as Alzheimer's disease, related dementia, or developmental
37 disabilities.